

Ivan Kilgore
CDC # V31306
CSP- SACRAMENTO
P.O. Box 290066
Represa, CA 95671

FILED

08 JUN 12 PM 2:12

RICHARD W. WILKING
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

In the United States District Court
For the Northern District of California

Ivan Kilgore,

Petitioner

C 07-5124 SI

Reply to Respondent's State-
ment of Opposition to Petitioner's
Request for funds.

J. Walker, Act Warden,

Respondent

In response to the Respondent's statement of opposition to
petitioner's request for funds to obtain the complete Oklahoma
trial transcribed proceeding, Petitioner markedly points out that
Respondant's opposition is based solely on the misinformed belief
that the parties already have a "complete" copy of the 1997
Oklahoma trial transcripts, which resulted in the equivalent of
California's involuntary manslaughter.

Apparently there's been a lack of communication and effort
in the Attorney General's office. Respondent's comments in
the footnote on page one of the statement of opposition states,

1 "Petitioner made the request in a ex parte motion, which
2 we have not reviewed." Obviously Respondent has chose
3 not to review the petitioner's motion for whatever reasons
4 because petitioner not only made available A copy of said
5 motion to one Deputy Attorney General Catherine A. McBrien
6 on October 14, 2007, but this document has also been
7 electronically filed by the clerk of this court on October
8 16, 2007, which means it can be viewed on the courts
9 web site.

10 Had Respondent did his/her homework (s)he would have
11 known that the "transcript" (s)he makes reference to in the
12 motion for opposition And believes to be A complete represent-
13 ation of the Oklahoma trial proceeding, is only A portion,
14 specifically the petitioner's testimony from that case,
15 requested by the prosecuting ~~att~~ Attorney Darryl Stall-
16 worth. Stallworth only request of the Seminole ~~Co~~ County
17 Court House Court Reporter in Wewaka Oklahoma to
18 forward the petitioner's testimony. As odd As this may
19 seem, it was not without purpose.

20 In addition, Respondents comments on page two of
21 the statement of opposition states, "... it is clear that
22 he can obtain it from Appellate counsel without receiving
23 Additional funds ..." Again, Respondent has failed to do
24 his/her homework. Exhibit "C" of petitioner's ex parte
25 motion contains the previously filed request made by his
26 Appellate counsel, Stephen Bedrick, who petitioned the
27 Appellate courts to provide funds to obtain the "complete"
28 transcription of the Oklahoma proceeding being that only

1 the petitioner's testimony from the Oklahoma trial was
2 the only portion in the court record.

3 Accordingly, the request for funds should be granted
4 for the sake of justice for it is without question an
5 abuse to allow the representatives of the state of
6 California to continue contriving mistruths regarding
7 the nature of the Oklahoma evidence having not
8 reviewed or acknowledged it in its totality which has
9 allowed them to manipulate the uncorroborated and
10 isolated testimony of petitioner's prior trial to their
11 ~~any~~ advantage.

12
13 Dated: 6/8/08

14
15
16 Ivan Kilgore
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

(C.C.P. §§1013(a); 2015.5; 28 U.S.C. §1746)

I, Ivan Kilgore, am over the age of eighteen (18) years,
and I (am) (am not) a party to the within cause of action. My address is:

P.O. Box 290066
Represt, CA 95671

On, _____, I served the following documents:

Reply to Respondent's Statement of Opposition to
Petitioner's Request for funds.

on the below named individual(s) by depositing true and correct copies thereof in
the United State mail in Represa, California, with postage fully prepaid thereon,
addressed as follows:

1. U.S. District Court
for Northern District of CA.
450 Golden Gate Ave
SAN Francisco, CA 94102

2. Peggy S. Ruffra
Office of the Attorney General
455 Golden Gate Ave, Suite 11000
SAN Francisco, CA 94102 - 7004

I have read the above statements and declare under the penalty of perjury of
the laws of the State of California that the foregoing is true and correct.

Executed this 8 day of June, 2008, at California State
Prison - Sacramento, Represa, California.

(Signature) Ivan Kilgore